UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION

QUENTIN P. BRUGUIER, JR.,

4:21-CV-04129-KES

Movant,

vs.

GOVERNMENT'S ANSWER TO PETITIONER'S MOTION TO VACATE, SET ASIDE, OR CORRECT SENTENCE

UNITED STATES OF AMERICA,

Respondent.

Pursuant to Rule 5 of the Rules for § 2255 Proceedings, the United States makes its answer to the allegations set forth in Petitioner's motion.

RESPONSE TO PETITIONER'S ALLEGATIONS

The United States hereby denies each and every allegation set forth in the motion unless expressly admitted herein.

Plaintiff has failed to state a claim for relief, and this Court does not have jurisdiction to proceed.

The United States refers the parties and the court to the memorandum in support of this answer, which is incorporated herein by reference.

Dated and electronically filed October 22, 2021.

DENNIS R. HOLMES Acting United States Attorney

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 22, 2021, a true and correct copy of the foregoing was served upon the following person, by placing the same in US Mail, postage prepaid, and addressed as follows:

Quentin Peter Bruguier, Jr. 07587-073 TUCSON FCI Inmate Mail/Parcels 8901 S. Wilmot Road Tucson, AZ 85706

> /s/ Stephanie C. Bengford STEPHANIE C. BENGFORD Assistant United States Attorney